

MEETING MINUTES
Town of Granby
Zoning Board of Appeals
Tuesday, May 16, 2023 at 7:00 pm

Present: Steve Muller, Suzanne Yucha, Ann Crimmins, Robert Lindeyer, Thomas Caputi, and William O’Leary (unseated)

Absent: Lynn Guelzow and David Roberts

Also Present: Land Use Coordinator Renee Deltenre

1. Call to Order

Chairman A. Crimmins called the meeting to order at 7:00 p.m.

2. Seating of Alternates, if applicable

None

3. Action on the minutes of April 18, 2023

On a **MOTION** by R. Lindeyer seconded by T. Caputi, the Board voted (4-0-1) to approve the April 18, 2023 meeting minutes as presented. S. Muller abstained.

4. Public Hearings

a. Appeal by Michael Cantin seeking a rear yard variance of Zoning Regulation Section 8.20.7.6 to construct an 18’ x 24’ pavilion; 118 Cortland Way. File Z04-23-02.

Applicant and property owner Michael Cantin was present to discuss the application and answer any questions the Board had. He is seeking a 12-foot rear yard variance to construct an 18’ x 24’ pavilion behind the existing home, which will be situated beyond the proposed pool location by roughly 10 feet. Hardships stated were the flag shaped nature of the rear lot, topography, ledge, well location and septic location. M. Cantin stated that the abutting rear property is Open Space owned by the Homeowner’s Association and no trees will be removed. There was no public comment and the public hearing closed at 7:12 p.m.

b. Appeal by Jason Levesque seeking a front yard variance of Zoning Regulation Section 5.1 to construct a single-family home; 17 Harness Way. File Z05-23-01.

Applicant Jason Levesque was present to discuss the application and answer any questions the Board had. He is seeking a 3.8-foot front yard variance for a single-family home that was constructed in the wrong location. According to J. Levesque, the location for the foundation was staked using GPS; however, it was determined upon receipt of an as-built drawing that the front of the house extended past the required front yard setback. It was stated that the error was caused by a mapping discrepancy with the GPS device. J. Levesque informed the Board that a foundation as-built will be submitted to the Building Department for review for all future homes prior to framing. The Board had questions regarding the status of the remaining lots, what infrastructure has been installed, and if modifications could be made to the existing subdivision layout. At this time, the house is already framed and sheet rocked, and infrastructure for the subdivision has been installed. There was no public comment and the public hearing closed at 7:25 p.m.

5. **Consideration of applications, where the Board has concluded the public hearing**
 - a. **Appeal by Michael Cantin seeking a rear yard variance of Zoning Regulation Section 8.20.7.6 to construct an 18' x 24' pavilion; 118 Cortland Way. File Z04-23-02.**

On a MOTION by T. Caputi seconded by R. Lindeyer, the Board voted (5-0-0) to approve an appeal by Michael Cantin seeking a 12-foot rear yard variance of Zoning Regulation Section 8.20.7.6 to construct an 18' x 24' pavilion; 118 Cortland Way. File Z04-23-02, subject to the receipt of approval from the Homeowner's Association. The hardships cited were the location of the well and septic system, as well as topography.

- b. **Appeal by Jason Levesque seeking a front yard variance of Zoning Regulation Section 5.1 to construct a single-family home; 17 Harness Way. File Z05-23-01.**

The Board discussed the application and reviewed CGS Section 8-6, as well as Zoning Regulations Section 10.3. Based on the nature of the hardship, the ZBA lacks the power to grant a variance.

On a MOTION by T. Caputi seconded by S. Yucha, the Board voted (5-0-0) to deny an appeal by Jason Levesque seeking a front yard variance of Zoning Regulation Section 5.1 to construct a single-family home; 17 Harness Way. File Z05-23-01, as the ZBA lacks the power to grant a variance due to the nature of the hardship presented.

6. **Staff Reports and Correspondence**

a. **ZBA Application Fee Discussion**

A staff memo was provided from Director of Community Development Abigail Kenyon outlining the request for an increased application fee. At this time, the current fee is insufficient to cover the costs associated with processing applications; i.e., advertising the public hearing notice, publishing the notice of decision, mailing a certified letter of decision to the applicant, mailing the public hearing notice to abutting property owners, a fee to the state, and staff time for application review and processing. Town Staff proposes an increase to \$260 total, which would consist of a \$200 Town fee and \$60 State fee. This proposed ZBA application fee would be the same as the Planning and Zoning Commission application fees for Special Permit, Zone Change, Zoning Amendments, and Earth Excavation applications. If approved, Town Staff will request the Town Manager to approve an increase per Zoning Regulations Section 10.3.2.1 which states, "Applications shall be accompanied by the appropriate fee; as established by the Town Manager."

On a MOTION by T. Caputi seconded by A. Crimmins, the Board voted (4-1-0) to approve an increase of the ZBA application fee from \$155 to \$260 effective July 1, 2023. R. Lindeyer opposed.

7. **Commissioner Reports and Correspondence**

None

8. Adjourn

On a MOTION by R. Lindeyer seconded by T. Caputi, the Board voted (5-0-0) to adjourn the meeting at 7:43 p.m.

Respectfully submitted,

Renee Deltenre
Land Use Coordinator